

**LANKFORD, COFFIELD & REED, P.L.L.C.**

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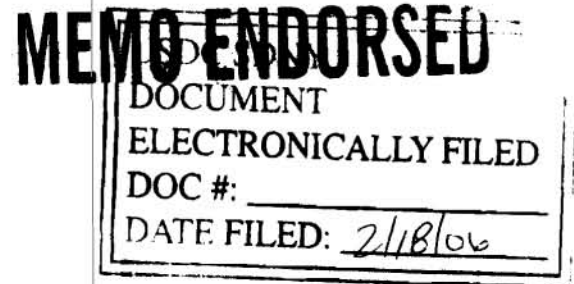
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February 14, 2006

VIA Facsimile 212-805-7968  
The Honorable Kenneth Karas,  
United States District Judge  
United States District Court for  
The Southern District of New York  
500 Pearl Street, Room 920  
New York, New York 10007



Re: Ello v. Singh, Case No. CV 9625

Dear Judge Karas:

I am writing on behalf of the defendants in Ello v. Singh, Case No. CV 9625, including my client the Laborers International Union of North America and Mr. Pocino, and the other defendants (the "Funds"). We have received from plaintiff a copy of an amended complaint on January 25, 2006. Both we and the Fund Defendants believe that there still remain grounds for seeking leave to dismiss the amended complaint, but we understand from the Court's prior rulings that it wishes to address the plaintiff's pending motion for disqualification of defense counsel prior to addressing the defendants' prior request for leave to file a motion to dismiss the original complaint. Based upon the Court's prior comments and orders, we assume, therefore, that it would be premature for defendants to file a response to the amended complaint until this Court resolves the pending disqualification motion directed against defense counsel. If the Court, however, desires defendants to respond to the amended complaint, the same defense counsel would be filing another letter request asking for leave to seek dismissal of the amended complaint.

If we have misunderstood the Court's preference to address the conflict issue first before addressing the amended complaint, we would appreciate having notice of an appropriate deadline for responding to the amended complaint.

Respectfully submitted,

*Terrance G. Reed*  
Terrance G. Reed

Counsel for Defendants LIUNA and  
Raymond Pocino individually and in  
his official capacity as a LIUNA  
officer

SO ORDERED

*Kenneth M. Karas*  
KENNETH M. KARAS U.S.D.J.

2/17/06

cc: Deidre A. Grossman, Esq., Ruth M. Pollack, Esq. and Samuel Rosenthal, Esq. (By Facsimile)

*Defendants are correct: the time to answer or otherwise respond to the complaint is stayed until ~~plaintiff's~~ Defendants' representation is resolved.*